Iowa Farm Bureau Federation
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September 11, 2000

Mississippi River/Gulf of Mexico Action Plan (4503F)
c/o U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Comments of the Iowa Farm Bureau Federation on the Draft Plan of Action for Reducing, Mitigating and Controlling Hypoxia in the Northern Gulf of Mexico

The Iowa Farm Bureau Federation is the largest general farm organization in the state, representing the majority of farm families in Iowa. Our members represent all facets of agricultural production in the state and will be dramatically impacted by the proposed actions outlined in the draft plan released by the EPA.

There are a number of serious issues that concern us with this plan and the process that was used to develop it. We do not believe that EPA has adequately determined the true contribution of agriculture to the hypoxic zone in the Gulf of Mexico nor have they justified taking such dramatic actions to control this zone. Some of our specific concerns with the document are:

1. the adequacy of scientific analysis,
2. the use of water-quality standards and TMDLs to protect the Gulf;
3. the effects of a 20 to 40% nitrogen reduction goal on agriculture,
4. the impact of river flow management on the hypoxic zone and other resources,
5. the lack of any economic and social analysis, as required by law,
6. the composition of any task force that might continue to exist after the Action Plan has been finalized and
7. the lack of substantive involvement of state governors in the action plan.

1. Adequacy of Scientific Analysis

We are concerned about the incomplete, inadequate and very subjective analysis used to justify the draft action plan. Fertilizer use has declined in Iowa yet this factor seems to be ignored by the draft action plan. According to Iowa State University, in 1985, Iowa farmers planted13.9 million acres of corn, producing 125 bushels per acre for a total production of 1.71 billion bushels. This same year, Iowa farmers applied an average of 145 pounds per acre of nitrogen fertilizer to produce this yield. In the last crop year, Iowa farmers planted just over 12 million acres to corn. The average yield in 1999 was 149 bushels per acre for a total production of 1.76 billion bushels. The average nitrogen fertilizer rate had declined to 126 pounds per acre. Thus, Iowa farmers produced 3 percent more corn on 13 percent less land using 24 percent less nitrogen fertilizer.

In addition, the draft action plan relies on relies heavily on numbers from the EPA's 1994 report to Congress on the state of our nation's waters. The draft report uses inaccurate numbers to represent the number of rivers, lakes and estuaries that were surveyed. In addition, the draft report incorrectly used these numbers to draw the conclusion that agriculture was primarily at fault for this decline in water quality. Use of inaccurate data has been drawn to the attention of the report's drafters but has yet to be corrected.

Effects of nitrogen-reduction goal on point sources and agriculture

If any goals or standards are adopted it will likely cost untold billions of dollars for both point sources and farmers alike. However, there are still significant unanswered questions as to where it would be most beneficial to spend those billions of dollars. Recent work by the U.S.G.S., (Smith. et.al. 1999) indicates that point sources far upstream on the large rivers may be contributing a much higher proportion of their nitrogen flux to the Gulf compared to agricultural areas that drain through shallow ditches and streams before entering a larger river. More research needs to be directed into this issue.

2. Nutrient Standards to Protect Gulf/TMDLs

The draft action plan includes language requiring states to adopt water-quality standards for nutrients, including criteria for nitrogen that are tailored to the coastal ecoregions of the Northern Gulf of Mexico. For the past several years, EPA has been working to develop nutrient criteria for water quality standards. In fact, EPA has told states that they will develop these criteria if states fail to do so or do not develop adequate criteria. Many state regulators are confused as to what EPA is requiring of them and who is to be involved in setting these criteria. States are also confused about their role in setting nutrient criteria for out of state waters. Most states set criteria to protect designated uses of the state's waters. Now, they are being told they must also develop criteria to protect the Gulf of Mexico.

In addition, EPA suggests that the criterion for nitrogen will be based on its impacts to the Gulf of Mexico. However, the hypoxic zone in the Gulf is attributed to stratification of water due to fresh water inflows and excess nutrients, primarily nitrogen. We question if EPA intends to also set a standard for fresh water inflows into the Gulf of Mexico to address this problem.

3. 20 to 40% Nitrogen Loading Reduction Goal.

The draft action plan discusses a goal of reducing total nitrogen loadings into the Mississippi River by 20 – 40 percent. EPA assumes that this will control the hypoxic zone and suggests that this goal can be achieved by restoring wetlands and establishing riparian forests to reduce loadings. We believe that the draft report dramatically underestimates the amount of land needed to achieve this goal and minimizes the impact on the farm economy.

The CENR Topic 5 Report suggests that a 20 percent reducion in loadings can occur by taking less than 1 percent of the total land area in the Mississippi River basin and converting it to wetlands. While we agree that wetlands can provide important filtration benefits, we disagree strongly with the action plan's conclusion that this will have minimal impact on agriculture. The report believes the most effective use of wetlands and riparian areas will be between farmland and streams and rivers. Nearly two-thirds of the land base in the Mississippi River basin is noncropland. It is unlikely that much of the land targeted for wetland restoration will occur in

those noncropland areas. In addition, rangeland and pastures are not likely to be used because they are in geographic areas of the country that do not contribute significantly to nitrogen run-off. Thus, we believe that cropland will be the most likely target for wetland and rirparian area restoration.

Within the entire Mississippi River Basin, a nitrogen loading reduction goal of 20, 30 or 40 percent dependent entirely upon reconstruction of wetlands and riparian forests would require converting 12.5 million, 18.7 million or 25.0 million acres of cropland respectively, which is the equivalent of 30,811, 46,217 or 61,623 average sized farms, respectively. Iowa has roughly 24million acres in cropland. To reach this goal, most counties in Iowa would be required to convert at least 6 percent and as high as 33 percent of cropland.

The issues in this section clearly indicate that EPA has not discussed the issue of cropland conversion with agricultural stakeholders and has not lived up to the requirement of the law to analyze the social and economic impacts of its proposed goals and policies.

4. Impact of River Flow Management on Hypoxic Zone and Other

The draft action plan asks the Corps of Engineers to complete an assessment of potential nutrient reduction actions that it could take by modifying existing Corps' projects or operations. This assessment is to be completed by the fall of 2003. In the meantime, the draft action plan calls for implementation of nutrient reduction loadings by converting cropland to wetlands. We believe this assessment is an important tool to look at all aspects of managing nutrient loadings to the Mississippi River. We believe this assessment must be completed by the summer of 2001 before we move forward on the other short term actions suggested in the report.

5. No Cost/Benefit Analysis

EPA has failed to complete adequate cost/benefit analysis of its proposed actions as required in the legislation that authorized the task force. In fact, the integrated assessment and the CENR reports directly state that the benefits and costs of taking these actions are difficult to quantify. In fact, Topic 6 report concludes "...the direct measurable dollar benefits of Gulf fisheries of reducing nitrogen loads from the Mississippi River Basin are very limited at best." In addition, this same report concludes that there will be social costs from taking these actions such as dislocation in land use, agribusiness infrastructure and farm communities. Given the economic stress that already faces the farming sector, removing such large areas of cropland from production will further devastate these communities.

Neither the economic analysis nor the Integrated Assessment address the comparative costs and benefits of the Gulf hypoxia issue. The Integrated Assessment states that the fisheries of the Gulf generate $2.8 billion annually. In 1997, the five Midwestern states identified as the largest contributors to nitrogen losses exported nearly $14 billion in agricultural commodities; total cash receipts were more than $41 billion.

EPA is pushing for a final strategy by October. We believe that enough questions have been raised to indicate the need for additional time to reconsider this issue and the proposed solutions. Across the Mississippi River basin, local, state and federal agencies, the agricultural industry, and farm and environmental organizations are implementing many programs to reduce nutrient

impacts on water resources. Additional time for further evaluation of the causes of the hypoxic zone and detailed assessments of the impacts of proposed solutions on various states and industries is needed and reasonable.

6. Submission of the action plan and state government involvement

The law authorizing the task force requires the President to submit a plan in conjunction with the governors of the Missisippi River Basin states. EPA has stated that they do not anticipate submitting this report to the 31 affected states for their agreement before submitting the report to Congress. We believe the intent of the law is clear and strongly object to EPA's proposed actions. Each state in the Mississippi River Basin must be given the opportunity to review the report and make known their concerns and/or support for the items included. The actions detailed in the draft report will have a dramatic impact on these states and their policies. EPA will be impacting state spending and revenues without the involvement of those impacted states.

In conclusion, we strongly urge the EPA to slow down the process and to refocus its efforts to determine the most cost-effective methods for addressing concerns with hypoxia in the Gulf of Mexico. It is imperative that states be actively involved in this process. In addition, we believe EPA must establish a timeline for gathering more information and data before setting quantitative goals. Finally, we strongly urge the EPA to recognize that the success of programs to address water quality concerns is most likely to occur at the local level. This process should be subdivided on a watershed by watershed basis to allow more involvement by local stakeholders.

Sincerely,

Emily Eide

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